



STATE OF IDAHO

# DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 18, 2018

CAT CREEK ENERGY LLC  
398 S 9TH ST STE 240  
BOISE ID 83701

IDAHO WATER ENGINEERING  
ATTN DAVID R TUTHILL JR  
2918 N EL RANCHO PL  
BOISE ID 83704

**RE: Contested Application for Permit No. 63-34403- Cat Creek Energy LLC**

Dear Applicant:

Enclosed are copies of the protests filed against the issuance of the above-referenced application. Subsequently, the Board of County Commissioners for Elmore County filed a withdrawal of protest received on October 10, 2018. This letter acknowledges the protests and the withdrawal of protest. As part of the application process, the following are options available for resolution of contested (protested) applications:

**-Direct contact** with the protestant(s) to determine what is being disputed in the application and parties attempting to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).

**-Formal Proceedings** consist of a pre-hearing conference & hearing through the water appropriation statute/rule process. A pre-hearing conference identifies the protest issues and reviews the resolution possibilities with the parties. If the issues cannot be resolved, a formal hearing will be scheduled.

**-Mediation** through a certified professional mediator. The advantages can include: reduced costs and time that are associated with formal proceedings, the ability to address non-water concerns, more influence over a final settlement, and fast track processing by the Department for parties reaching a mediated agreement. If you are interested in this option, please contact our office for details.

Please consider with the protestants the best option for resolution of the contested application.

If you would like additional information, or need to further discuss the process, feel free to contact me at the Western Regional Office, phone 334-2190. The protests and withdrawal are available on our website <https://research.idwr.idaho.gov/>, copies can be made available upon request.

Sincerely,



Nick Miller

Nick Miller  
Western Regional Manager

Cc: Protestants and/or Attorneys (15)